

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Improving Public Safety Communications	)	
in the 800 MHz Band	)	
	)	WT Docket No. 02-55
Consolidating the 900 MHz Industrial/	)	
Land Transportation and Business Pool	)	
Channels	)	

**OPPOSITION TO REQUEST FOR STAY**

The Association of Public-Safety Communications Officials-International, Inc., International Association of Chiefs of Police, International Association of Fire Chiefs, Inc., Major Cities Chiefs Association, Major County Sheriffs' Association, and National Sheriffs' Association (hereinafter "Public Safety Organizations") hereby submit the following Opposition to the "Request for Stay" filed by Preferred Communications, Inc. on November 9, 2005, in the above-captioned proceeding.

The Public Safety Organizations have participated throughout this proceeding as the principal representatives of the police, fire, EMS, and other first responders whose 800 MHz radios communication systems face potentially deadly interference from CMRS licensees in the band. We helped to forge the "consensus plan" that provided basis for the Commission's initial order in this proceeding, and we continue to work closely with all interested parties to pursue "rebanding" in a manner that will eliminate interference without imposing costs upon state or local governments.

The Public Safety Organizations strongly oppose the Request for Stay. Moving the rebanding process forward is essential to address the serious interference problems in

the band. Any suggestion that a stay would be in the public interest ignores the underlying purpose of this proceeding to prevent interference to communications systems used to protect the safety of life and property. A stay would harm public safety licensees, the first responders on the line who could find themselves without reliable communications in an emergency, and the public at large who depend upon first responders to protect their safety.

#### CONCLUSION

Therefore, granting the requested stay will create irreparable harm to our nation's first responders and the public they serve. The Commission should dismiss the Request.

Respectfully submitted,

ASSOCIATION OF PUBLIC-SAFETY  
COMMUNICATIONS OFFICIALS-  
INTERNATIONAL, INC.

INTERNATIONAL ASSOCIATION OF CHIEFS  
OF POLICE

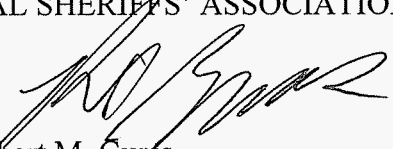
INTERNATIONAL ASSOCIATION OF FIRE  
CHIEFS, INC.

MAJOR CITIES CHIEFS ASSOCIATION

MAJOR COUNTY SHERIFFS' ASSOCIATION

NATIONAL SHERIFFS' ASSOCIATION

By:



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November 16, 2005

# CERTIFICATE OF SERVICE

I, Betty Nelson, hereby certify that a copy of the foregoing "Opposition to Request for Stay" was service this 16<sup>th</sup> day of November, 2005, by first-class mail, postage prepaid, to the following individual at the address listed below:

Stephen Diaz Gavin  
Patton Boggs, LLP  
2550 M Street, NW  
Washington, DC 20037

  
Betty Nelson